

From: [Eagle, Venus](#)
To: [Howard, Dennis](#)
Cc: [jgray@nd.gov](#); [Clark, Charlie](#); [Dwinell, Steve](#); [Rose Kachadoorian](#); [chuck.andrews@cdpr.gov](#); [jxbrough@gw.dec.state.ny.us](#); [Laws, Meredith](#); [Rate, Debra](#); [Baris, Reuben](#); [Rosenblatt, Daniel](#)
Subject: RE: Existing Stocks for the products instituting the pollinator protection language
Date: Wednesday, September 11, 2013 11:42:57 AM

Hi Dennis – Thanks for your response. I would have responded sooner but unfortunately your note went to my junk mail! Please see my responses in **black** below.

From: Howard, Dennis [mailto:Dennis.Howard@freshfromflorida.com]
Sent: Tuesday, September 03, 2013 4:32 PM
To: Eagle, Venus
Cc: [jgray@nd.gov](#); [Clark, Charlie](#); [Dwinell, Steve](#); [Rose Kachadoorian](#); [chuck.andrews@cdpr.gov](#); [jxbrough@gw.dec.state.ny.us](#); [Laws, Meredith](#); [Rate, Debra](#); [Baris, Reuben](#); [Rosenblatt, Daniel](#)
Subject: RE: Existing Stocks for the products instituting the pollinator protection language

Dear Venus:

Steve Dwinell asked that I provide a response regarding the timing needed by Florida to process new label statements for the neonicotinoids. The proposed existing stocks provision would prohibit the release for shipment of product with previously-approved labeling after December 30, 2013. One key consideration in this regard is Florida's prolonged growing season. Given our geography and subtropical climate, somewhere in Florida, one crop or another may be found blooming pretty much throughout the year. For example, citrus typically begins blossoming in February (last year it began in January) and the blooming period can last from 6 weeks to more than two months.

Neonicotinoids are of critical importance in controlling the psyllid insect which vectors citrus greening, a disease that has caused unprecedented damage in Florida citrus. Any lapse in the availability of neonicotinoid products could further devastate this beleaguered crop. The uninterrupted availability of neonicotinoids is also important in the production of numerous other Florida crops.

Florida currently has 482 brands of pesticides registered containing at least one of the four neonicotinoid active ingredients addressed by the Agency. It is not clear how many of those brands would be subject to label amendments but we believe that the majority would be. It would require an extra effort for our staff to review several hundred labels for revisions, however, we are willing to work toward expediting the label reviews. One factor that can make our reviews more rapid is that under Chapter 487.041(2)(i), Florida Statutes, whenever label revisions trigger amendment review requirements by EPA, registrants are required to send us a copy of the labeling marked to identify those revisions. We've found that marked up labels for comparison can greatly speed up our reviews. On the other hand, our requirement for marked up labels may slow some registrants in getting their submission to us, compared to submissions in other states where a marked up copy is not necessary.

FYI: the agency has requested that the registrants also send a marked version of all the changes they are making when adding the pollinator language. So hopefully, there wouldn't be much extra work to send the EPA accepted "marked" version to the states.

It would help us if the agency would release new stamped approved labels as they are processed,

and if the registrants would send new labels to us as they are accepted by EPA, rather than waiting to submit them to us *en masse*. It would also help us if registrants would prioritize their shipping of amended labels to states that have the earliest growing seasons.

The Agency will be stamp off on all accepted labels as they are received and in accordance with the production schedule the registrants have supplied. Thus we are not waiting for all labels to stamp off at once, rather the intended thinking is that there will be a drop dead date for existing stocks so that all the registrants are on a level playing field. Any stock released in the channels of trade before this, can be used till extinction. Thus there should be no gap in product availability. This also means that if a registrant comes in late with their amendment (e.g. 9/30/13), they will have less time to get rid of existing stock. Additionally, having a single date for the last sale and distribution will hopefully encourage the registrants to submit their labels to the EPA sooner rather than later. This will then allow the registrant to submit to the states sooner rather than later should the registrant choose to do so.

Thanks for seeking our input. Thanks for your comments. Please feel free to contact me if you have any other comments or suggestions.

Sincerely,
Dennis Howard

From: Dwinell, Steve
Sent: Thursday, August 29, 2013 12:20 PM
To: Howard, Dennis; Daiker, Dave
Subject: Fwd: Existing Stocks for the products instituting the pollinator protection language

Please see below and let me know what you think.

Sent from my iPhone

Begin forwarded message:

From: "Eagle, Venus" <Eagle.Venus@epa.gov>
Date: August 29, 2013, 12:07:30 PM EDT
To: "jgray@nd.gov" <jgray@nd.gov>, "charlie.clark@freshfromflorida.com" <charlie.clark@freshfromflorida.com>, "steven.dwinell@freshfromflorida.com" <steven.dwinell@freshfromflorida.com>, "rkachadoorian@oda.stat.or.us" <rkachadoorian@oda.stat.or.us>, "Chuck.Andrews@cdpr.ca.gov" <Chuck.Andrews@cdpr.ca.gov>, "jxbrough@gw.dec.state.ny.us" <jxbrough@gw.dec.state.ny.us>
Cc: "Laws, Meredith" <Laws.Meredith@epa.gov>, "Rate, Debra" <Rate.Debra@epa.gov>, "Baris, Reuben" <Baris.Reuben@epa.gov>, "Rosenblatt, Daniel" <Rosenblatt.Dan@epa.gov>
Subject: Existing Stocks for the products instituting the pollinator protection language

Hi All,

RD would appreciate your input on reviewing the attached "draft" amendment letter that lays out the existing stock provision for the products affected by the agency's 8/15/13 letter. RD is planning on reviewing (approx. 350 labels) and stamping off in 3 months or less. Some registrants have indicated concern that the States may not be able or willing to review/accept these amended labels by the time their existing stocks run out. What do you think? The agency was hoping to have these labels in place by the 2014 growing season if possible.

Thanks in advance for your input and any further suggestions.

Best regards,
Venus

Venus Eagle, Product Manager 01
Registration Division (7505P)
Office of Pesticide Programs
703-308-8045